TERRIBLE STORY OF CHILD'S DEATH

court was adjourned until this morning at 10 o'clock.

court was adjourned until this morning at 10 o'clock.

Araling of interest was that of Judge Clopton, that no woman should be present in the courthouse during the trial of the case. He stated that he was informed that the evidence would be such that it was improper for women to hear it, and instructed his officers that all women should be excluded. His Honor has received deserved commendation for his action, for the evidence has been fearful and horrible to a degree. It was shocking to those who were obliged to listen to it, and was of such an important nature that no part could be excluded by the court.

The jury spent a quiet night in their confertable quarters at Mr. Adkins's, on Huil Street, and were early on hand in the court room. So strict vis Judge Clopton in his ruling that no juror shall see a newspaper that he would not allow the jurors to examine the picture of the jury which appeared in The Times-Dispatch of yesterday.

Mrs. Charles Townsend, the aged mother of the prisoner, appeared for the first time in the court room. She did not lift the heavy veil that concealed her face as she gat by her stricken daughler, and every now and again whispered a word in her ear or patted her gently on the arm. Dr. Townsend, the celebrated brother of Mrs. Smith, has made a number of friends not only in Manchester, but in Richmond. A great number of the local members of the medical fraternity have called upon him and offered him their services and sympathy.

Broke Down But Once.

Only once did the prisoner break down

Broke Down But Once. Only once did the prisoner break down during the long and trying hours of the day in court. When His Honor ordered her to lift her veil so that the jury and witnesses could recognize her, she wept bitterly. The poor woman shows signs of the fearful days she has spent in jail. She is years older, and in her eyes is the haunted look of the unfortunate.

Hon. R. B. Davis, one of the leaders of the Petersburg bar, was in the case

of the Petersburg bar, was in the case to-day for the first time, Mr. Davis is cousin of Mrs. Townsend and her

intimate friend,
At the end of the morning's session At the end of the morning's session of the court Mrs. Townsend returned to Richmond, and did not come back to the afternoon sitting. Dr. Townsend, however, was on hand, and with him was Mr. Henry Lee Valentine and Dr. M. C. Sycle, who was under the famous surgeon at college in New York.

The only amusing incident that occurred during the day's sitting was when Mrs. Crostic said that Mrs. Smith had kept her standing for a minute or more at the door before she opened it on the night the boy died.

at the door before she opened it on the night the boy died.

Mr. Smith said: "How long is a minute. Hold up you hand and drop it at the end of a minute." Mr. Smith took out his watch and Mrs. Crostic held up her hand and dropped it. Mr. Smith looked at his watch and found that it had no second hand. All the crowd looked at his watch and toung that it had no second hand. All the crowd laughed, and the court rapped sternly for order. "If any one laughs in this court I will have him arrested," said His Honor. "Go out if you desire to

As a matter of fact, Mrs. Crostic kept her hand up exactly, twenty second, and a number of the jurors kept time on her and know this.

her and know this.

Fighting Every Inch.

Messrs. Smith and Wells are fighting hard and taking exception after exception. They are taking no chances and it will be a fight to the court of the last resort and to the bitter end if Mrs. Smith is not cleared by the present jury.

Although the verdict cannot be predicted with any amount of certainty, it is known that the defense have at least three good grounds for victory.

Is known that the defense have at least three good grounds for victory.

These are "temporary insanity on account of Mrs. Smith's condition at the time of Raiph's death; second, "the evidence of experts that the child was in a fearful state of health," and third, "that the blows struck by the mother were not necessarily what killed the

It is evident that the case will go over

It is evident that the case will go over into next week, and that it will take many days yet to dispose of it.

It is very trying on the officers of the court, and especially to Commonwealth's Attorney Page, who is without an assistant, and who, despite his recent visit. ommonwealth. Mr. Page's attitude in the conduct of

Mr. Page's attitude in the conduct of the case has been marked by every con-sideration for the prisoner, and her family that was possible in the strict discharge of his official duty.

SESSION IN DETAIL.

Testimony of Dr. Brodnax and Others Given at Length.

on trial for her life for the murder of her 5-year-old son, Ralph, walked into the courtroom. She walked alone, fol-lowed by her mother, Mrs. Charles Town-

lowed by her mother, Mrs. Charles Townsend, and her brother, Dr. Wisner R. Townsend, of New York.

Mrs. Smith was dressed as on previous days, entirely in black, with her thick black yell as a mask against the staring eye of the curious throng gathered in the court-room. Mrs. Wownsend, the aged mother of the prisoner, was dressed like her unhappy daughter, a black voi covering her face.

Sergeant Saunders opened court as Judge Clopton took his seat at the bench, promptly at 10 o'clock.

The jury was called and Clerk DuVal read the record of yesterday's proceedings, which His Honor signed. Mr. Wells, of counsel for the defense, then asked that all the witnesses for the Commonwealth be sent out of court, and Mr. Page, Commonwealth's-Attorney, made the same request of the court regarding the witnesses for the defense. All witnesses were ordered out of the court-room. Thomas E. Owens, court stenogra-

pher, was then sworn by Clerk Du and the first witness was called. Mr. Crostic Testifies,

Mrs. Bettie J. Crostic was called to the witness stand. Before the witness was examined, Mr. Page asked the court be estruct the prisoner to raise her veil that witnesses and jurors might see our face.

A, that witnesses and jurors might see aer face.

Mr. H. M. Smith asked that she be allowed to drop her veil except when the Commonwealth's Attorney desired some witness to see her face. The court instructed Mrs. Smith to ruise her veil whenever Mr. Page desired her to do so. Mrs. Crostic was then sworn.

She stated that she lived in the city of Manchester, at No. 300 East Sixth Street, and that she was the wife of John T. Crostic.

Are you acquainted with the prisoner?

Birect, and that she was the wife of John T. Crostic.

Are you acquainted with the prisoner? (The prisoner then lifted her veil.)

"I am."

"When did you first meet her?"

"At Mrs. Turner's. Mr. Turner was sick and Mrs. Smith came to see him."

"Where did Mrs. Turner live?"

"Next door to Mrs. Smith, and two doors from me."

"Did you know Ralph Smith?"

"Yes."

"At Mrs. Haynes's and at my gate,"

"How old was he?"

"About four or five or five and a half years old. He was delicate looking for his age."

his age."
"Tell what you know about his death."
"The first I knew of his death was on
the night of April 26th. Mrs. Haynes told

Mrs. Crostic was here instructed that

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she could not give hearsay evidence. She her.
"Mrs. Haynes told me—" Stop!! said Mr. H. M. Smith.
Mrs. Crostic was again instructed that she could not give heresay evidence. She continued:

continued:
"I went to Mrs. Smith's with Mr.
Haynes, and when I got there I opened
the gate and went to the door. It was
closed and the curtains of the windows

Threw Child on Sofa.

'She opened the door after some delay and we went in. She did not ask us in. I walked in and saw the child dead and naked on the floor. She picked up the child in a quilt and threy him on the sofa. His head waggled about. She said: T think the child is sick.' I said: 'I think to child is sick.' I said: 'I think so too.' She said: 'Put you hand on his heart and see if he is dead.' I put my hand on his heart and said 'he is gone.' I said what are them bruises doing on the child. She said: 'For disobedience.' I said what are them bruises doing on the child. She said: Tor disobedience.' I said what are them bruises doing on the child. She said: I whipped him this worning.' She said: 'I whipped him this worning.' She said: 'I whipped him this worning.' She said: 'We neighbors heard you whipping him this morning.' She said: 'No, this evening.' I asked where Mr. Smith was he at work? She said she thought he had gone to Norfolk. I said: Was she sure. She said if she knew she would tell me. She said: 'Please stop talking to me,' and went over and beat her hands upon a table and fell into a chair, the most object picture of misery I ever saw. "I walked over and saw a bottle on the floor. She said it is only camphor; there is only that in it. I have been bathing him in camphor and water as I've ever done. Is there anything more that I could have done. I said I must call a doctor. What for, she said? I said because the boy is dead.

Stick Lying Nearby. Threw Child on Sofa.

"If then saw a stick on the floor and it looked like pine wood. It was about ten or twelve inches long. It had a handle trimmed on it about as square as my fan, just about an inch thick. (Mr. H. M. Smith enquired for stick.) I picked up stick and put. It behind the child on the sofa. She said she had whipped child with a razor strop, but I did not see the strop.

with a razor strop, but I the not see the strop.
"She had a perfect right to whip the child to death"— Stop!! cried Mr. Smith. The judge instructed her not to say any-thing except what Mrs. Smith told her You are not to state any of your own

able. I took it up, and it was labele. I took it up, and it was about of the bottle was wet. It was a bottle like that (pointing to a large bottle).

"I examined the bedy of the child, and it was terribly bruised up. There were bumps as oig as marbles all over his head, and my finger slipped in a hole in his head. Over one eye was a cut, his neck was bruised up. Blood was all over his neck was bruised up. Blood was all over my hand. Two bruises were over h's leart. Over his left eye was a bruise. I turned over the child, and from his shoulders to his waist his back was covered with bruises and scabs. On his left side was a cut. His little stomach was bruised green, and his legs were bruised all the way down.

"It was a few minutes past eight o'clock at night when Mrs. Haynes and I went to Mrs. Smith's. The door was fastened and the curtains were drawn down.

"She never invited cither of us. The child was naked on a quilt on the floor. She took the child up and threw it on the lounge. Mrs. Haynes caught hold of the quilt, but she threw the body with so of Mrs. Haynes's hands.

"I said. Did you whip that child knowing it was sick?" She said, I didn't know it was sick? She said, I didn't know it was sick? She said, if the didn't know it was sick? She said three distinct times that she had whipped it that night. She said the reason why the child was backause she had undressed him for bed. There was a cut over his right oye and a hole behind his left ear, and the child's nose was turned to one sides. "Officer Wright came in and put the stick in his pocket and went with her (Mis. Smith) in the back room to get the razor strop," (The stick was here introduced).

"Is this the stick or one exactly like

uced).
"Is this the stick?" asked Mr. Page.
"That's the stick or one exactly like

it."

"I said, 'What was all the noise this morning? The neighbors heard it."

"She said, 'I don't know. I whipped the boy to-night."

"He, the other child, Carrol, is about two years old, and can run about and talk. talk.
"The coroner got there in about half-

"The correct so there. We got there about five minutes past eight o'clock. The body was lying on its right side."
"What was Mrs. Smith's manner?" asked Mr. Page.
"She showed no grief; she said nothing; she did not say that she was sorry or nothing of the kind."

Mr. Smith Takes Witness. Cross-examined by Mr. H. M. Smith or the defense:
"Did Mrs. Haynes come after you?"
"Linwood Turner came after me."
"Didn't you get information that Mrs.
mith called?"

"No. sir."
"You didn't know why Linwood came after you?"
"No. sir."
"Did not some one send him?"

lying at Mrs. Smith's."

"You can't say of your own knowledge that Mrs. Smith didn't call?"

"I don't know."

"Don't you know that she called twice?"

"No. sir: I can't say."

"How long did she keep you waiting at the door?"

e door?"
"About a minute or so."
"About a minute or so."
"Mr. Crostle then indicated the time,
was exactly twenty seconds.)
"She didn't keep you out, did she?" was exactly twent, which was exactly twent, was exactly twent, was exactly twent, was exactly twent, which was exactly twent, which was exactly twent, was exactly twent, which was exactly twent, which was exactly twent, which was exactly the exactly the exactly twent.

ie soin?"
"No, sir, the body was at the foot of "No, sir, the body was at the foot of ie lounge and about eitheen inches room it. The quilt was between the sofa in the child.

and the child."
"For all you know, the child might have fallen from the sofa?"
"I can't say, sir."
"The child was warm?"

"The ching was "Yes, sir."
"Yes, sir."
"Was it cool weather?"
"No, it was not cool."
"She told you she whipped it only "She told you she whipped it only once?"
"She told me three times that she

"She told me three three three whipped it once that night."
"When you picked up that stick, did she say she hit him with that stick?"
"She said she did not."
"It might have been a toy; might it read?"

not?" "s, it might have been a toy."
"Is that the strop?"
"I don't know; I never saw it before."
"Can you say that the coroner asked her if she whipped the child?"
"I could not hear. I am deaf. When I asked her if she did not whip him, she told the coroner what she had told me."

me."
"She was very frank about telling; was she not?"
"Certainly, she was. She never denied it. She was very frank."

"Certainly, she was. She never denied it. She was very frank."

"Now, about the boy being naked; did you know that children should be stripped before putting on their night clothes?"

"I never was raised to take off all my clothes for bed, and I never put my children to bed that way."

"Don't you know that is considered unhealthy?"

"Il am not here to talk about health."

"Did she not live for seven or eight months within three doors of you?"

"Yes, sir."

"How long had you known Mrs. Smith before the child's death?"

"I can't say. I only met her once, and that was at Mrs. Turner's. I had seen and talked with the child. He was a nice little boy."

"Did you see any bruises on his face?"

"No, I did not see any bruises in February."

"You want to be fair; don't you?"

uary."
"You want to be fair; don't you?"
"Yes, I do."
"Did she object to sending for the doc-

or?"
"She didn't say anything against it."
Mrs. Crostic concuded at 11:20 o'clock.
Mr. Crostic Testifies.

Mr. Crostic Testifies.

John P. Crostic, of No. 300 East S'xth Street, and husband of Mrs. Bettle Crostic, was then called. He sa.d:

"I only know that about 3 P. M., Mrs. Turner's little boy came in and said some one was dying. We, Mrs. Bass, my wife and I, ran out and met Mrs. Haynes. I said, 'You all do what' you can for the sick person.

"I was sent for the coroner and I got him. He lives five squares away from Mrs. Smith's house. I got him there about 8:30 c'lock. After he had gone, I looked at my watch and it was ten m nutes to nine o'clock.

Cross examined by Mr. Smith:
"Did you know the Smiths?"

"I had never spoken to Mr. Smith, Mrs. Smith or the boy. I never saw the boy outside of his own yard."

Mr. Page here objected to hearsay evidence or cross-examination.
"How did you know that any one was sick?"

Dr. Brodnax, c.roner of Manchester, who has served for ten years, was sworn. He said:

"I was called on Wednesday, 28th April, about 8:30 o'clock by John Crostic. Mrs. 8mith said. Is this Dr. Brodnax? I walked over with her to the sofa on which the child was lying, covered with a quilt. The child was naked. It was covered with bruises. I examined the child and found bruises all over it.

She said she had been whipping it, and she said he had been whipping it, and she said he had been suffering with nausea. I directed that the body be not disturbed.

She asked me (I think) what caused the child's death. I said I would tell her later. I went to the Police Court and had a coroner's jury summoned. The jury examined the child's body at Mrs. Smith's. I adjourned the jury until the next morning. I did not see Mrs. Smith on my second visit that night.

Mrs. Smith stated that she had been whipping the child because he had been disobedent.

"In what condition did you find the head?"

thing except what any of your own opinions.

Mrs. Crostle continued:

"I stayed until the coroner came, and when the coroner came she crossed over to the lounge. She told him that the child had been sick and could not hold anything on his stomach. His father let him have anything he wanted to eat, she said. She anything a bout whipping the child. I said didn't you tell me you had whipped him child. She said yes, ma'am, I whipped him to-night.
"I saw a bottle of ammonia on the table. I took it up, and it was labeled table. I took it up, and it was labeled the was wet. It was a bottle like that (pointing to a large bottle).

"I examined the bedy of the child, and two in the bottle was wet. It was a bottle of a manual of left side of head; the hair was labeled to the said to the child's head rested on the sofa had spot of blood about as big as palm of my hand.

On the body to the left of breast three or four oval-shaped bruiss. Across the adomen was one great bruisse on back. There were several scars on the buttock was and over his bumps as big as marbles all over his bumps as big as marbles all over his bumps as olig as marbles all over his order that his skin had been knocked off. There were some fresh scars and off. There were some fresh scars and off.

I noticed that the skin had been knocked off. There were some fresh scars and some old ones that indicated that all had not been made at the same time. I counted fifty-three scabs and bruises on his back and buttocks.

There were scattered bruises on the legs below that knee, and bruises on both arms, with skin off elbows and off right hand.

I have been Oemonstrator of Anatomy t University College of Medicine for ine years. For fitteen years I studied rawing in Valentine's studio and in New ork city studios. York city studios.

Colored drawings of the dead body of Ralph Smith, showing bruises and scabs and injuries, were then filed by Dr. 3radnax.

Brodnax. Mr. Page then said: "Dr. Brodnax. examine your draw ings and say if they are absolute cor

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rect." "They are as absolute correct as I can make them." Judge: "The sketches can go to the

jury."

(Dr. Brodnax then explained sketches to the jury, and examined by Mr. II. M. Smith.)

The colors and sizes of the wounds are made from memory, are they not? Yes, sir. You cannot say that they are accurate,

can you?
They are as accurate as I can make them. They are as accurate as I can make them.

They are more accurate than a photographer could have made them. (Dr. Brodnax again took drawings, and going to the jury explained them to the jury.)

(Dr. Brodnax explained that his sketches were of the condition of the child at the first autopsy. At the time of the second autopsy, many of these bruises had disappeared.)

Did you examine all the organs?

I examined all the organs to ascertain the cause of death.

What organs did you examine?

The brain, lungs, heart, large blood vessels, stomach, liver, kidneys, spleen and intestines.

What was the result of the investigation?

What was the vision?

I found all the organs normal except the brain. On the left side of the brain, I found extravasated blood on the second membrane.

What did that indicate?

It indicated the rupture of blood vessels on the brain.

on the brain.
Did you form an opinion as to how that Occurred?

I did not.

He also sald that at second autopsy at Medicai College, held by Dr. Williams and Dr. Clitton Miller, acting for the defense, and at which Drs. Brodnax and Henson were present, he (Brodnax) found other bruises on the head.

What were they?
Second, bruises on right side of head; three, bruises on left side of head; and three places on the had were bloody.

Was your examination thorough and complete?

It was thorough and complete for the dispersion of the second complete?

omplete?

It was thorough and complete from standpoint. I do not think

of the child."
"I have no doubt but that the child was beaten on the night of his death."
How were the blows inflicted?
The blows were inflicted, in my opinion, with some dull instrument.
Bottles were here handed witness, and he was asked what they contained. He said ammonia and camphor.
If either were placed to the nostrils of a person would they have a stimulating effect?

a person would they have a summaring effect?
"Yes, they would.
The judge then said:
"I wish you to tell the jury whether or not the death of the child was caused by the Injuries you saw upon his body."
Dr. Brodnax answered: "It was."

Cross Examination. Cross-examination by Mr. H. M. Smith: Did Mrs. Smith tell you that she had been whipping the child."
"Yes. Mrs. Smith told me that she had been whipping child.
If anyone says that she did not tell you this when you first came in, then that person is mistaken?
"Yes."

"Yes."
Are you sure of this?
"I am as sure of it as I am of any-hing, I have said."
(Mrs. Crostic had stated otherwise.)
Did you examine the child's organ?
"Yes, sir."

Did you examine the child's organ?
"Yes, sir."

Did you not notice something wrong at the time you made first examination.
"Yes, I did."

Did you not tell someone of the peculiar condition of the organ?
"When I examined the child I never dreamed of anything being wrong until it was told to me on the following day."
The question was repeated, and Dr. Brodnax said: "I made the remark that night that there appeared to be a state of paraformosis. In my experience it was unusual. I had never seen it before. Its it not a fact that children are guilty of this evil practice?
"Books say so, but I doubt it."
Mr. Page objected to Mr. Smith's examination of Broadnax.

Smith replies:
"How is it that Lr. Brodnax is great-

Smith replies:
"How is it that Lr. Brodnax is greater than the great text-writers."
The court ruled with Mr. Page, and Mr. H. M. Smith noted exception.
Do not bruises stand longer on one than others?
"Yes, sir."
Do not bruises stand longer on one than

"Yes, sir."
Do not bruises stad longer on one than another?
"Yes, sir."
Do the same colors result from same bruises?
"No, sir."

bruises?

"No, sir."

What is the longest time a bruise can stay on a person?

"Two or three months."

A razor strop was then offered by defense, and the question was asked if the bruises on the boy could have been made with a similar stron.

Dr. Hrodanx answered "Yes."

Would not camphor used on the boy have diffused the blood?

"Yes, sir."

In sketch of dead hoy you have made a mass of blood to appear on the boy's head. This may have been great part camphor?

"Yes, sir."

"Were all the bruises placed upon the boy on the same night?

"No, sir they were not."

May not many of these bruises have been on the body for some time?

"Yes, sir."

What bruises were inflicted that day? open on the body for some that 'Yes, sir.'

'Yes, sir.'

'Yas, sir.'

stay is a month. It might be longer."
How old was the oldest bruises on the child?
"Not over two weeks old."
Do They Cause Death.

Don't you know that hemorhages have caused death? Now tell me how great an area of hemorhages did you find in the boy's brain?
"Two by three inches."
"I believe traumatic shock, because I don't think the hemorhage was sufficient."
Is it possible?

"Yes."
It is not probable?
"I don't think so."
You do know whether or not the blow you say caused death was not delivered six or seven hours before?
"They might have been."
Where were the two blows inflicted, that you say you know were delivered that night?
"On the right eye and behind the left ear."

ear."
Did either of those blows cause death

"No. sit." adjourned until 3:30 o'clock, with Dr. Brodnax on the stand.
At 3:30 o'clock court reconvened. The jury was sworn, and Mr. Page continued his re-examination.
"Was there any evidence of any vice on the body of the boy?"
"No. sir, I saw none."
(The vice was here explained by Dr. Brodnax).

Brodnax.)
"You gave it as your opinion that the death of the child came from traumatic shock. Why was that?"
"Because the shock could have caused death and because I found no other cause."

death and because I locale cause."

(Mr. Smith objected to Mr. Page leading the witness—exception noted.)

"How does the blow upon the brain cause death?"

"By concussion."

"Could it not cause death by shock?"

"Yes, sir."

"Explain difference between extravasation and a clot?"

tion and a clot?"
"Clot would press in the brain; extra-vasation would spread out."
"Would extravasation cause death in-

"Would it produce dead,"
"No, sir."
"What did the fluidity indicate to you?"
"It indicated that it must have oc-urred within six to twelve hours."
"On Saturday at the second examina-ion, had the extravasation grown?"

"On Sabirday at the second examina-ion, had the extravasation grown?"
"No. sir."
"Did you ever know of a bruise that asted a month?"
"Not in my own experience."
"How severe z bruise have you known

of?"

"I have seen some very severe brulses."

"I desire to change my testimony of this morning. I have looked into the miter, and I find that brulses sometimes ast for months. I said the brulses on the hilld had possibly been on him for two weeks. I now say they may have been there for months."

"What is the color of brulses?"

"First stage is blue or purple; then greenish; then yellowish-green, and then yellow."

"Do you think that the razor strop could have caused the blow on the head?"
"No, I do not think so. It must have been done with some heavier instrument."
(Mr. Smith objected to leading question. Exception taken.)
"What were the colors of the bruises on the head?"
"Two purplish, one greenish and one yellow."

"Two purplish, one greenish and one yellow."
"What blow caused the extravasation

of blood?"

"The blow on the left side was the one, in my opinion."

"What was the size of the bruise?"

"One inch by two-thirds of an inch."

"Is traumatic shock immediate in its

enects:
"Yes."
"Was the blow that caused the shock then received shortly before his death?"
"Yes."
"Was the blood on the child blood or blood and water?"
"It was blood, I think."
"Is not camphor and ammonia volative?"

"Yes, sir."
"What would produce traumatic shock

"What would produce traumatic shock in one case would not produce it in another; is that not 80?"
"Yes, sir; that's true."
"In a word, life is a fickled thing?"
"Yes, sir."
"Did you not tell Mr. Seal, a newspaper reporter, that there were plain indications of evil practice on the body of the boy?"
"No, sir."

"You have refreshed your memory, and you now say that bruises last longer than you thought?"

"Yes, sir; they last a month or several months."

"Could a fall have produced the fatal blow?"

"Yes, I think so."

"As a matter of fact, you will not say positively that it were not produced by the Iron ring on the razor strop?"
"No, sir, I cannot say positively."
"Do you think that the condition of the boy could be brought about by evil practice?"

"It might be, but I have never attended a child for it."

"It might be, but I have never attended a child for it."

(Here followed a technical discussion of the evil habit said to have been practiced by the child. Mr. Smith, or counsel, caused Dr. Brodnax to say that the boy might have been addicted to the evil habit, and that the text-books all were on the side of such a thing being possible and probable.)

Dr. Brodnax then stood aside.

Mr. Lum on the Stand. Mr. Lum on the Stand.

Mr. John Lum was then called,
"Where do you live?"
"No. 224 East Sixth Street,"
"Do you know Mrs. Smith?"
"Yes."
"Did you know Ralph Smith?"
"Yes." "Yes."

"When did you last see Raiph?"

"It was on Tuesday, the day before the death. Smith asked me if I wanted a buil dog, I said, 'Yes.' I went there the next day, on the day the boy died. I got the dog, and I saw the boy. I said, 'How are you, my little man?' The boy was sitting in the back door. I saw no marks of injury upon him.' Cross-examined by Mr. Smith for defense:

Cross-examined
fense:
"How far do you live from the Smiths?"
"The next door, although there's a
lot between us."
"How long have you known the
Smiths?"
"For two months before this matter
happened."

"You had frequently seen the boy?"
"Yes, I saw him often, and he looked
like any other little boy."
"Have you seen him playing in the
yard?" yard?"
"I've seen Mr. and Mrs. Smith in the yard with their children, just like other people."
"Could you hear conversation at Smith's

"Yes, sir; I could talk to them if I talked loud." "How high was the door from the ground?" Dr. McLean Testifies.

Dr. McLean Testifies.

"The McLean was the next witness."

"Where do you live?"

"In Richmond; I'm a physician and I've been in active practice for two years. My specialty is pathology."

"What is pathology?"

"The causes of death and post-mortem examinations and the diseased conditions of the body."

"Do you feel confident, doctor, that you could tell the cause of death, if conditions were explained to you?"

"Yes, slr."

"Mr. Page then told the story of the boy's death and explained injuries and gave the doctor two sketches of bruises.)

"Please look at these sketches."

(Mr. Page then explained desaitely the wounds, bruises and their condition, telling about the fresh blood and the autopsy.)

"What caused the death of that child?"

"It was caused from shock from vio-

"It was caused from shock from violence."
"Why do you think so?"
"Because there was no bleeding inside the body to cause death; therefore, external means must have been the cause of death. The marks of violence on the body were sufficient to cause the death of the

If there was any other cause of death, would it not show?" I think the recent violence produced death."
"Within what time would you say,

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doctor, that all the injuries shown upon the body were inflicted?"
"From four to six weeks. It depends upon the severity of the bruises-on children sooner than on grown people."
"From the conditions as I detailed to you, would you say or not that the child had been beaten that night?"
"Yes, sir; within a few hours before eight o'clock."
Cross-examined by Mr. Smith:
"You say that, in your opinion, the boy met his death from shock from volence. Is that the same as traumatic shock?"
"Yes."

"Yes."
"Is it possible to tell what will c death; and do not insignificant inju-cause death?"
"Yes sir." "Yes, sir."
"Trivial injuries sometimes death?"

"Yes, sir. It depends on the condition of the individual."

(Mr. Smith here asked Dr. McLean if he had not gone over all questions with Mr. Page before going on the stand.)

Dr. McLean said he had.
"Do you know which blow caused death?"

"All the recent ones."

"Do' you know which they are?"

"Yes; two of them."

"Yes; two of them."

"Yies; they must have weakened him."

"Pes, two of them."
"Did the others have anything to do with his death?"
"Yes, they must have weakened him."
"Did you know that the child was weak?"
"No; but I assumed it. The blows were of various ages and, therefore, they must have been gotten at various times and must have weakened him."
"If a child was very much debilitated, might it not be killed by a slap?"
"You can never tell what blow can put out the spark of life in exceptional cases. Is this so?"
"Yes, in exceptional cases."
"Do not some children bruise more than others?"

"Yes, that is true."
"Do not bruises last longer on some children than on others?"
"I should say so."

"I should say so."
"Would not brulses stay on a debilitated child longer?"
"Yes, they would."
"What is the longest time you have
ever heard of a brulse remaining?"
"Two or three months—or adults."
Mr. Smith then asked Dr. McLean about
evil habits amongst children. Mr. Page
objected, and the court held that the
objection was good. Mr. Smith excepted.
Mr. Smith again asked the question in
other words.

other words. Ar. Page objected. The court allowed objection. Mr. Smith noted exception. He-examination by Mr. Page: "Suppose the child was on its back upon the floor and was then laid upon its back upon a sofa; how much postmorten settling would there be?" "There would be very little." Dr. McLean here withdrew.

Dr. Henson Testifies. Dr. Henson was then sworn:
"Where do you live?"
"In Richmond, I.have taught anatomy, and I am a physician and surgeon, having practiced for six years."
Mr. Page then asked the same hypothetical question that he had asked Dr. McLean, telling the story of the child's death.

death. "Did the child die from the effects of "Did the child die from the effects of recent injuries?"

"I think so. Death must have been within an hour after the injuries."

"What was the cause of death?"

Dr. Henson referred to notes.

Mr. Smith called attention to the fact that a hypothetical question had been asked and that Dr. Henson was examining notes.

asked and that Dr. Henson was examing notes.
"Did you see the body of Raiph Smith?"
"Yes; I saw it at the Medical College of Virginia. Dr. Williams had it. Dr. Ben Micheaux was with me."
(Dr. Henson here made a statement regarding the bruises and injuries found on the body of Raiph Smith at the second autopsy performed at the Medical College of Virginia. The statement was technical.)

autopsy performed at the Medical College of Virginia. The statement was technical.)
"What was your opinion as to the boy's death?"
"It think he died from violence."
"What are your reasons?"
"Abundance of evidence was found for this cause, and practically no evidence for any other cause."
"Suppose you were told that the bruises were from purple to pale yellow; within what time would the bruises have been received on the child's body?"
That is hard to suswer. Ordinary

what time would the brukes have been received on the child's body?"

That is hard to answer. Ordinary brukess go away in twelve to fourteen days, but brukes may stay for months. "Can you form a limit within which the child's injuries were received?"

"Within a month."

Cross-examination by Mr. Smith:

"Can you tell which blow caused the death of the child?"

"Do I understand you to say that the child died from traumatic shock?"

"No, sir; I can't say. It might be syncope or exhauston or from violence producing a shock."

"Is there any difference?"

Post mortem would be the same, Syncope would be more sudden.

"Would not a child weak enough to die from syncope show some signs of illness to the neighbors?"

"I think so"

Does synoope act upon the nerve con-

"I think so."
"Does syncope act upon the nerve control of the heart?",
"Yes, sir."
"Syncope would act upon the heart,
would it not?",

"Yes, sir."
"Would the same number of blows pro-

duce syncope as nervous shock?"
"It would take more blows to cause ncope."
You never can tell exactly what causes
ath from blows. Is this not true?"
Yes, sir."

Would it not take fewer blows to cause death when a child is debilitated?

I should say it would take fewer blows. A slight blow will sometimes cause death to a healthy person?

"Yer, sir." From Slight Blow.

Examination By Mr. Page.

"Death might be produced from a very slight blow, if the child was weak?"
"Yes, sir: that's true."
(Dr. Henson was asked same question that the court rectused to let Dr. McLean answer. The court would not allow Dr. Henson to answer them. Mr. Smith excepted.)

"Yes."
"Is it not true that bruises stay on some people longer than others?"
"Yes,"
"Would not bruises stay on an unhealthy child longer than on a healthy child?"

hild?"
"Yes, they would."
"Did not Dr. McLane see the body with

"Did not Dr. McLane see the body with you?"
"No, sir."
"Wus the child debilitated?"
"I would gather so from what I saw of the body after death."
Cross-examination by Mr. Page:
"Did I hear you say that the condition of the child's body caused you to think that he was debilitated?"
"Yes, I said I thought so from the general appearance of the child, and the enlargement of the glands.
"Did you examine the organ and notice anything beculiar about it?
"Yes, it was enlarged and there were sufficient indications that an operation had been performed. If there had been no operation, then I would say it was an no operation, then I would say it was an adormality."

idnormality." Court was adjourned until this morning at ten o'clock.

JUSTICE IS BLIND. Noticeable That Two Jurors Have Bandaged Eyes—Famous Case.

Bandaged Eyes—Famous Case.

The jury in the Smith case was resting quietly at midnight in their comfortable quarters at Mr. Adkins boarding house on Hull Street. So soundly were they sleeping that a Times-Dispatch man could not gain entrance to the house.

To-day Commonwealth will probably call the following witnesses: Linwood Turner, Mrs. Turner, the Little Turner, sirl Mrs.

the following witnesses: Linwood Turner, Mrs. Turner, the little Turner girl. Mrs. Haynes and Mrs. Lum. Linwood Turner is the small boy who lives next door to the Smith cottage, and who testified before the Coroner's jury that he had seen Mr. Smith hit Ralph who testified before the Coroner's jury that he had seen Mr. Smith hit Ralph with a plece of axe handle. He also stated that he had seen Ralph creeping about the yard like a balt wild thing, after haying been beaten by his father. Linwood was a playmate of Ralph's, and possibly knew him better than anyone in Marchester. His sister also played with the Smith children.

Mrs. Turner is the wife of the Mr. Turner who died several weeks ago since the tragedy on Sixth Street. She it was who was called on the memorable night of April the 28th by Mrs. Smith, who begged her to come over to her house and help her with her dying boy. Mrs. Turner's husband was desperately ill, and she could not leave him; indeed he forbade her to go, and sent Linwood, his son, to notify the Crostics that Mrs. Smith meshed help.

Smith needed help.

Important Testimony. Mrs. Haynes is the lady who went with

Mrs. Crostic to the house of Mrs. Smith at five minutes past 8 the night of the tragedy, and who, with Mrs. Crostic, saw the boy naked and dead upon the floor of the front room.

Her evidence will be full of interest, and will have great weight with the jury. Mrs. Lum was the next door neignose of Mrs. Smith, and it was she who took care of little Carroll Smith after his mother was taken to jail.

She was a second mother to him until Mrs. Llonel Ashburner, with whom the Smiths had lived, came down from Colubia, Va., and carried him home with her. Mrs. Smith Slept Soundly.

Mrs. Smith Slept Soundly.

Mrs. Smith Slept Soundly.

At the jail at midnight, Mrs. Smith was sleeping soundly. The jail officials say that she eats heartly and that she is a model prisoner.

Her mother has not been to the jail, but has seen her daughter at the courthouse. Dr. Wisner R. Townsend, her brother, has, however, been a constant visitor at the jail and has been with his slister a great part of the time.

An interesting story is told by Dr. Townsend, He was standing on the corner waiting for a car when a newsboy came up to him and said: "Times-Dispatch?" "No" said Dr. Townsend.

The boy moved away and then walke! "I'll sell you a paper with your picture" "I'll sell you a paper with your picture

pack and said:
"I'll sell you a paper with your pickure in it for two cents."
Dr. Townsend's picture was in the paper

(Continued on Seventh Page.)

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